

*Handwritten note:*  
Hacienda filed  
in  
Court

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	CRIMINAL NO. 03-10347-MLW
v.	)	
	)	<u>FILED UNDER SEAL</u>
LUIS HUERTAS	)	
	)	

JOINT STATUS REPORT

Pursuant to Local Rule 116.5(C), the parties are hereby jointly filing the following Status Report prepared in connection with the Final Status Conference scheduled for February 25, 2004.

1. Outstanding Discovery Issues

There are no outstanding discovery motions or issues.

2. Additional Discovery

No party anticipates producing any additional discovery at this time.

3. Insanity/ Public Authority Defenses

The defendant does not intend to raise a defense of insanity or public authority.

4. Notice of Alibi

The government requested a Notice of Alibi in its Automatic Discovery Letter. No response has been received to that request.

5. Motions

The defendant does not anticipate filing any additional motions to suppress, to sever or to dismiss prior to trial but is reserving his right to file other pretrial motions that could require a ruling by the District Court.

6. Scheduling

The parties are presently engaged in discussions regarding a possible change of plea. Both parties are requesting an additional thirty days in which to pursue those discussions before the case is reported to the District Court. Both parties agree that this time is excludable from Speedy Trial Act calculations pursuant to 18 U.S.C. § 3161(h)(8) and will provide a proposed order to the Court.

7. Early Case Resolution

The parties are engaged in plea discussions.

8. Speedy Trial Act Calculations

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and believe that the following periods are excludable:

12/04/03-12/04/03	Arraignment and Gov't.'s motion for detention
12/04/03-1/04/03	Excludable delay pursuant to L.R. 112.2(A)(2) and 18 U.S.C. § 3161(h)(1)(F)
1/22/04-2/26/04	Excludable delay pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 8(b)

As of February 26, 2004, 20 days will have been counted and 50 days will remain under the Speedy Trial Act. As set forth above, the parties have also agreed that an additional 30 days (through March 26, 2004) should be excluded in the interest of justice.

9. Length of Trial

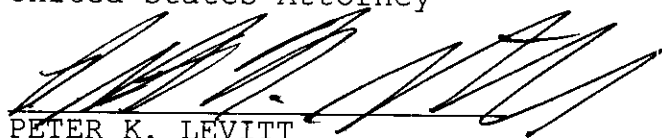
In the event that a trial is required, the parties estimate that it will last approximately two days.

Respectfully submitted,

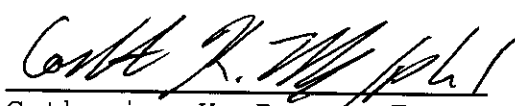
MICHAEL J. SULLIVAN

United States Attorney

By:

  
PETER K. LEVITT  
Assistant U.S. Attorney  
One Courthouse Way  
Boston, MA  
617-748-3355

COUNSEL FOR LUIS HUERTAS

  
Catherine K. Byrne, Esq.  
Office of Federal Defender  
408 Atlantic Avenue, 3rd Floor  
Boston, MA 02110

DATED: February 26, 2004